HIGH COURT OF UTTARANCHAL AT- NAINITAL.

Writ Petition No. 778(S/S)2004

Smt. Leela Bhatt W/o Sri Kushwa Nand Bhatt,
Presently posted as Assistant Teacher (L.T.Grade),
Govt. Girls Higher Secondary School,
Ajabpur Kala, Dehradun. ….Petitioner.

Vs.

State of Uttaranchal through Secretary,
Education, Dehradun,
And three others. ….Respondents.

Sri Vinod Nautiyal, learned counsel for the petitioner.
Learned Standing Counsel for the respondents.

Hon'ble M.M. Ghildiyal, J.:

Heard Sri Vinod Nautiyal, learned counsel for the petitioner and learned Standing Counsel for the respondents.

The petitioner has challenged the order dated 25.06.2004 passed by the Addl. Director of Education, Garhwal Mandal, Pauri, by which the petitioner has been transferee from Govt. Girls Higher Secondary School Ajabpur Kala, Dehradun to Govt. Girls Higher Secondary School, Ukhimath, district Rudraprayag. Reason stated in the transfer order is that the petitioner is teaching inconsistent subject in the Institution.

Counsel for the petitioner has submitted that the petitioner has passed her Post Graduate Degree with Sociology subject and she is teaching Sociology in he Institution. She has given good performance during the year 1998 to 2004 and the result of the student shows that her performance has been very good. The petitioner has further submitted that the present Institution, where she is teaching was up-graded in the year 1998 and vacancy was created therefore, the petitioner was transferred on her requests because of her illness. In the year 2000 she was operated upon by which her gallbladder was removed and a tumor from the abdomen was also removed, and was advised by the doctors to check-up regularly.

In the circumstances, I direct the petitioner the move representation within seven days from today before the Direction of Education, Dehradun who shall take decision on the grievances, raised

by the petitioner through here representation, by a speaking order within three weeks' thereafter. The whole exercise shall be completed by 15th of August 2004.

Till 15th of August 2004, the impugned transfer order dated 25.06.2004, so far as it relates to the petitioner, shall be kept in abeyance.

With these directions, the writ petition is finally disposed of.

(M.M. Ghildiyal, J.)

July 14, 2004:
NCM: